

Members

Rep. Susan Crosby, Chairperson  
Rep. Cindy Noe  
Sen. Connie Lawson  
Sen. Mark Blade  
Bryan Lett  
David Giles  
Gloria Kardee  
Amy Cook Lurvey  
Galen Goode  
Judge Richard Culver



# INDIANA COMMISSION ON MENTAL HEALTH

*Legislative Services Agency*  
**200 West Washington Street, Suite 301**  
**Indianapolis, Indiana 46204-2789**  
**Tel: (317) 233-0696 Fax: (317) 232-2554**

LSA Staff:

K.C. Norwalk, Attorney for the Commission  
Kathy Norris, Fiscal Analyst for the Commission

Authority: P.L. 37-1998

## MEETING MINUTES<sup>1</sup>

<b>Meeting Date:</b>	<b>October 30, 2002</b>
<b>Meeting Time:</b>	<b>10:30 A.M.</b>
<b>Meeting Place:</b>	<b>Putnam County Courthouse, 1 Courthouse Square, Superior Court, Greencastle, Indiana</b>
<b>Meeting City:</b>	<b>Greencastle, Indiana</b>
<b>Meeting Number:</b>	<b>4</b>

**Members Present:** Rep. Susan Crosby, Chairperson; Rep. Cindy Noe; Sen. Connie Lawson; Bryan Lett; David Giles; Gloria Kardee; Amy Cook Lurvey; Galen Goode; Judge Richard Culver.

**Member Absent:** Sen. Mark Blade.

Chairperson Crosby called the fourth meeting of the Indiana Commission on Mental Health ("Commission") to order at 10:40 A.M. and asked the members of the Commission to introduce themselves. Greencastle Mayor Nancy Michael and Putnam Circuit Court Judge Diana LaViolette welcomed the Commission to Greencastle.

## TESTIMONY REGARDING THE CRISIS INTERVENTION TEAM PROGRAM

### Jane Novak, NAMI Indiana

Ms. Novak distributed a brochure entitled "Crisis Intervention Team, Partnering For a Safer and Healthier Community" (Exhibit #1) and discussed the following points in her presentation:

---

<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

- Correctional facilities house the largest percentage of the mentally ill in the U.S.
- The goal of Crisis Intervention Teams ("CIT") is for law enforcement officers to recognize individuals with mental illness and to help the mentally ill receive treatment rather than sending a mentally ill person to prison for mental illness-related behavior.
- CIT training for law enforcement officers includes:
  - 40 hours of specialized training regarding mental illness;
  - de-escalation techniques; and
  - information regarding community health resources.
- In Fort Wayne, 46 police officers have received CIT training and an additional 14 officers will be trained by the end of this year.
- October 1, 2002, was declared CIT day in Fort Wayne.

In response to questions from the members of the Commission, Ms. Novak made the following points:

- If a law enforcement agency is interested in CIT training, the training and materials are provided for free by NAMI.
- The Fort Wayne Police Department is the only law enforcement agency in Indiana with CIT officers. Indianapolis Police Department officers are going to be trained in 2003 and both the Carmel and Fishers police departments have expressed interest in CIT training.
- The CIT model calls for 20% of a police department to have CIT training.
- If a person calls a police department with CIT officers and mentions that a subject has a mental illness, a CIT officer will respond to the call.
- If an incident is being investigated by a police department with CIT officers, a CIT officer will go to the scene and will be the officer in charge.

#### **TESTIMONY REGARDING EMERGENCY COMMITMENTS BY LAW ENFORCEMENT** **Sheriff Tom Helmer, Putnam County Sheriff's Department**

Sherrif Helmer made the following points in his testimony:

- It is a tremendous problem to house the mentally ill in jails.
- Jail is not a solution for people with mental illnesses.
- When a law enforcement officer is committing a person with mental illness to a hospital, the officer is not able to perform his or her other duties until the commitment is complete, which may last up to 8 hours.

#### **Judge Evan Goodman, Marion Superior Court, Indianapolis**

Judge Goodman testified that under Indiana law, only a law enforcement officer may sign a 24 hour commitment order, and this does not include judges. Judge Goodman suggested that the definition of a law enforcement officer should be changed to include judges.

#### **Chief Jim W. Hendrich, Greencastle Police Department**

Chief Hendrich testified about the following:

- Law enforcement officers often receive calls to respond to someone's inappropriate behavior and the officer often does not realize that the suspect has a mental illness.
- When a Greencastle police officer has to take a mentally ill person to be committed, it is a time consuming process. The officer has to drive the individual about 35 miles to a hospital in Hendricks County and then the officer has to wait until the assessment of the individual is complete. This process can take hours.
- Judges should have greater powers to order the commitment of a mentally ill person.

**Judge Diana LaViolette, Putnam Circuit Court, Greencastle**

Judge LaViolette made the following points in her testimony:

- A 24 hour detention is a quick fix for law enforcement officers.
- A 72 hour detention is a mental health assessment.
- A problem with 72 hour detentions is that people are often released by the hospital prior to the entire 72 hours.
- Commitments are confusing because attorneys often are not involved and the mental health history of the individual may not be available.
- Judges have a difficult time when they try to follow up on what has happened to a person they have ordered to be committed.

**Commission Member Comments**

- Dr. Giles made the following remarks:
  - The doctor who admits a mentally ill person into a hospital on an emergency detention is a trauma doctor.
  - When a doctor is considering admitting a mentally ill person, the doctor will consider whether the individual poses a risk to public safety.
  - A person cannot be forced to take medication unless there is a commitment order.
  - A civil commitment is the forced treatment of a mentally ill person.
  - Rural areas often do not have the facilities to commit mentally ill individuals.
- Chairperson Crosby suggested that a subcommittee be formed next session to address the problems of mental health commitments.

**TESTIMONY REGARDING RURAL HEALTH CONCERNS****Sue Murray, Putnam County Hospital, Greencastle**

Ms. Murray stated the following in her testimony:

- In 1992, Federal law changed so that when a person with mental illness was discharged from a nursing home, the discharge was delayed 5 to 10 days. This change has confused patients and families
- Access to mental health treatment in rural areas can take longer than in urban areas and the result is that people often do not receive mental health treatment when they need it.

**Larry Squires, Cummins Mental Health Agency, Putnam County**

Mr. Squires testified regarding the following:

- The success of Cummins is based on a working partnership with the families served and the entire community.
- Indiana's community mental health system is well designed. The Hoosier Assurance Plan promotes consumer choice, provider competition and consumer access.

**Robe Fazekas, Hamilton Center**

Mr. Fazekas made the following points in his testimony:

- A major problem for rural mental health centers is staffing. It is difficult to attract mental health professionals to rural areas. Mr. Fazekas suggested that an education loan forgiveness program could help attract mental health professionals to rural areas.
- Transportation is a major problem in rural areas for the mentally ill.

**ACCOLADES FOR CHAIRPERSON CROSBY****Mayor Nancy Michael, Mayor of Greencastle**

Mayor Michael proclaimed October 30, 2002 as "Susan Crosby Day" and presented Chairperson Crosby with a proclamation. Mayor Michael also thanked Chairperson Crosby

for her service representing Greencastle in the Legislature.

**Jane Novak, NAMI Indiana**

On behalf of NAMI Indiana, Ms. Novak thanked Chairperson Crosby for her years of service as a State Representative fighting for legislation to help the mentally ill in Indiana. Ms. Novak also presented Chairperson Crosby with a clock to remember NAMI by.

**PROPOSED LEGISLATION**

K.C. Norwalk, attorney for the Commission, distributed preliminary drafts of proposed legislation. Members of the Commission discussed and voted to approve the following drafts:

**PD 3706 - Mental Health Drugs for Department of Correction Inmates**

This draft allows inmates in the Department of Correction to be prescribed mental health drugs that are available to Medicaid recipients. The Commission approved this draft in a roll call vote, 7-0.

**PD 3744 - Psychiatric Advance Directives**

This draft permits an individual to execute a medical directive that directs the administration of or refuses psychiatric restabilization for the care and treatment of an individual's mental illness. The Commission approved this draft in a roll call vote, 6-1.

**PD 3738 - County Home Account**

This draft creates the county home account within the state general fund and makes an appropriation to the account. The Commission approved this draft in a roll call vote, 7-0.

**COMMISSION BUSINESS**

Chairperson Crosby adjourned the Commission at 2:15 P.M.